



CHS



March, 1947

25c

The BANDWAGON

EXPERIENCES OF A BIG TIME CIRCUS LAWYER FROM BUTLER, PA.

In 1832 my maternal grandfather, Michael Zimmerman, who had been a traveling salesman in Europe and Africa, made a trip to the Eastern part of the U.S. returned to Germany and decided to emigrate with his family to America, landing in Phila. where my beloved mother was born and the family resided for 1 yr. Later with many Germans then locating in Pittsburgh, they came to Butler in 1833 and purchased the Rising Sun Hotel (still standing and known as "The Willard") patronized largely by the traveling public and the daily stop of the Pittsburgh to Erie stage coaches, which they conducted until 1866. My mother, one of 4 sisters, loved music and became a finished musician and thus entertained many of the traveling celebrities, among them Dan Rice, the famed circus owner and clown of that era.

Born in 1868 I was often lulled to sleep with songs and stories of the circus after saying my prayers "Now I lay me down to sleep" and "Ing-le Cum" thus inheriting my love of music and excitement. Consequently, beginning at the age of 4 I followed all the minstrel and circus bands appearing in Butler. My father being an attorney gave me a wide acquaintance in our town of 1800 and my nurse took me to all the circuses. One I always remembered was Bob Huntings 1 ring wagon show, exhibiting in Butler in 1872, featuring a group of Indians whose leader endeavored to have my colored nurse, who had straight black hair (her mother being white) join them as a squaw. Thereafter I became a trapeze performer and organizer at age 10 of the Graham & Nicklas Circus, admission 2¢ and never missed meeting and attending the wagon or R.R. circuses in Butler the next 40 yrs. if home, forming many acquaintances in the big shows.

After I became a lawyer, my childhood ambition to become a circus man came true when Miller Bros. 101 Ranch exhibited in Pittsburgh was attached for \$10,000 on account of a buffalo tossing a fresh guy in the air for punching it in the nose with a stick, and breaking an arm, when the show was setting up on a Sunday; and E. Vaughan, their legal adjuster, phoned my Pittsburgh office for me to meet him at the sheriff's office, file a bond, release the plaster, and enable the show to move to Wheeling. The next yr. E. Vaughn was on the legal staff of RBBB with F. Cook, and my name was established as a trouble shooter for their affiliated circuses-Hagenbeck-Wallace (J. Adkins, mgr. R. Clawson, legal adjuster) Sells-Floto (J. Terrell, mgr. D. Partello, legal adjuster) and the then independent circuses-Sparks, Downie, and Russell. Sparks, with C. Sparks who had a 3 ring truck circus, made all states east of the Miss. (assisted greatly by his wife, Miss Addie) and were a great credit to the circus world. They sold out to Ringlings 17 yrs. ago. Charley is now in retirement in Macon, Ga. Among various cases I settled for him was a refund by the Pa. Legislature of \$2150 for over payment of taxes, which required 3 yrs. time, various appearances by me in Harrisburg, a brain matching controversy with the then Pa. Atty-Gen. Schnader who I finally beat out by taking up a similar case for the Russell Circus in Franklin, Pa. Court for adjudication resulting in the tax for all truck circuses being reduced from \$750 yearly to \$150. Incidentally when I caught The Sparks Circus with that \$2150, Charley said, Well, I never expected you to win that case-and how would it be if we split it 50/50.

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The Russell Circus, organized in Texas 12 years ago, was a fine new outfit and was ably managed by Mrs. Webb and I got it out of the Butler jail on a technicality one day having been picked up by State Dicks and fined \$525 and costs which I had abrogated.

Tom Mix, after making a million with his well known horse Tony, came out 12 years ago with a splendid 3 ring circus costing him \$400,000 but it ended with his tragic death in an auto accident.

The Barnett Bros. 3 ring circus, emanating from York, S.C. owned by W. Hamilton and Ray Rogers, a truck show of merit, also had various trouble which I fixed for them, and they later sold to Clyde Beatty (R. Clawson, legal adjuster, D. Dukenbrod, the greatest side show man of the circus world) who had many mishaps, among them a blowdown in Greensburg, Pa. in 1945, but wound up the season with a bale of money after selling more than a million U.S. Bonds by giving away reserved seat tickets.

It was also my privilege to have met, on a trip to Cal. with my son, Col. Bill Cody (Buffalo Bill) the last year of his life when he was with Sells Floto and gave me a story (which was later published by many news papers) wherein he broke up the First Stove League. The original of all Stove Leagues having been originated by W. Heineman, editor of the Butler Times, and of which I was Stove League Member #1 and its President. Another great circus man was Walter L. Main now living in Geneva, Ohio.

All took me up when entering Pa. my self imposed task being to advise their legal adjusters on laws passed or adjudicated, Workmens Compensation and amusement taxes required before playing Pa. Then I would meet them and was a privileged visitor from the back yard to the front door making parade on the Clown Band Wagon and later with them in the Big Top as a bridesmaid in the Clown wedding or walk around.

One of my thrills, being my first trip out of Pittsburgh with the Hagenbeck-Wallace Circus (South) upon invitation of J. Adkins, mgr. assigned to a stateroom in car 47 of their pullmans, I lay awake nearly all nite enjoying the realized ambition of my youth-traveling with a circus. But the Sept. equinox rains caught us in Baltimore and the lot next to Pimlico racetrack required 18 horses and 4 elephants to spot the big top wagons and an expenditure of \$1,000 to ash the midway, menage and big top. Then in Richmond, after I mounted the Clown Band Wagon to make parade the lead girls on horseback came trotting back to the lot shouting that a lion was out up front. Consternation reigned until a shot rang out. Later we met the lead horses of the Big Band Wagon returning, with their breasts in shreds, torn by the lion which had then gone to the happy hunting ground. Luck was with the circus, however, as that escape of the lion 30 minutes later, in downtown Richmond with spectators packed solidly on the main streets, would no doubt have cost a dozen lives, many injured, and probably \$100,000 in damages for the circus.

Later, catching the big show Ringling at Poughkeepsie, as I approached the main entrance S. Gumpertz, then mgr. said Mr. Graham, you are the very man I want to see. We jumped from Scranton last nite where some wise guy dug up an Act of Pa. Legislation 1883 making it a misdemeanor to permit an act endangering life and I was arrested and now on \$1,000 bail and I want you to see that Act is repealed which I did after pulling in 2 sessions of the legislature and obtaining the Governors signature. One year when a controversy arose as to the renewal of the lease for Madison Sq. Garden by J. Ringling, and Mugiven & Bowers who then owned the John Robinson, Hagenbeck-Wallace and Bernes Circuses heard of it

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they offered to cover the demands for rental of the Garden, which forced the purchase of those circuses by Mr. Ringling for \$3,000,000 and thus saved the Garden lease for Ringlings which always assured a big nut for them to go on the road in the season. That purchase and the Florida real estate bust, where Mr. John had invested upwards of \$15,000,000 in the John & Mabel Art Gallery and other enterprises to the Prudens Realty Co. of N.Y. for \$6,000,000 who required him to give up the management of the big show and install their man, S. Gumpertz, on a \$25,000 salary. Mr. Ringling later employed me to secure a new loan of \$800,000 for him to pay off and regain possession of the big show again for him which I had been promoting when he passed away. Then John & Henry North nephews, backed up by the other 2/3 interests of Ringlings Inc. borrowed a million put out that Allegorical Pageant, purchased the gorilla Gargentua, gave it a great build up and made a million. Incidentally they have sold more than \$30,000,000 in Government Bonds by giving away 1 section of reserved seats in each city. 2 years ago, Robert Ringling, another nephew of the 5 original Ringling Bros. was elected president of the Ringling Corp. and made gen. mgr. and after the Hartford fire, caused by a cigarette dropped into the canvas by a patron, causing the death of 162 persons and 209 injured, he had new fire proof canvas made together with all steel risers and seats, and has paid \$1,200,000 in death claims and \$1,300,000 for accident claims.

In 1934 J. Adkins & J. Terrell, former mgrs. of Ringling Shows secured the title of the celebrated W.W. Cole Circus of 19th century days and picking up wagons and equipment of various circuses then dormant came out with a new name-Cole Bros. & Clyde Beatty-putting on the only real parade that had been seen in many years, and I was accorded a seat on the Big Band Wagon by H. McFarland, Parade Master and Equestrian Director and I often traveled hundreds of miles to catch that circus and be with them a few days. Doc Partello was the legal adjuster and he always gave local lawyers having squawks the run around by stating that their attorney was up town which required them to make another visit, cool off, and made settlement easy for me. The Clyde Beatty Circus by the way will travel in R.R. cars this year.

A hair raising episode for me with Cole Bros. occurred in Scranton when making parade on the Second Band Wagon. Returning to the lot over a down grade viaduct, the brakes did not work and the 6 horses had to run and with the Big Band Wagon and 8 cages to pass or hit a wagon and kill a lot of musicians they dropped off behind. I rode it out with the driver until we passed all wagons ahead of us and turned into the base ball grounds.

Another episode in Akron-one night with the big top packed, a terrific thunder storm ensued, flooding the 3 rings, many people arising for a stampede. However, H. McFarland, the equestrian director, beside whom I was sitting in front of the bandstand ordered the band to keep on playing and Con Colleno to do his act in the center ring, which averted a panic.

In 1938 I secured the privilege for my son, J. Graham, Jr. now a moving picture director in N.Y. of shooting the Cole Circus to make the first complete moving picture of the action of a big show from the time it entered the R.R. yards in the morning until reloaded and pulling out at nite, which required 6 days with a camera man helper and 4,000 ft. of film. Cole Bros. have sold more than \$3,000,000 of Government Bonds.

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In 1944, attending the 50th anniversary of my class at Lafayette College, Easton, Pa. I hoped to go on to New England and catch Ringlings but business in Butler required my return, thus missing that catastrophe at Hartford, much to my regret, as I believe I could have saved some lives had I been sitting in front of M. Evans great band and F. Bradna, the cool headed equestrian director, who was hospitalized in 1945 by a stampede in Texas by a tornado.

Being a privileged visitor on all those circuses enabled me to meet all classes employed, male and female, a congress of many nations- travel with them, advise them in their troubles- and found them morally much better than habitues of store and joint hang outs. They were fired if under the influence of liquor or placed under arrest for any minor crime. All these episodes and experiences occurred between my law and coal business and gave me renewed energy to save \$200,000 in my coal mines and other unprofitable real estate after the 1929 financial debacle, and my advice to those in trouble is to go where the band is playing, the lights are brightest, people are gay, and thus shake off your mental troubles.

JOHN C. GRAHAM (JAN. 9, 1946)

ATTENTION PLEASE-

H. SYMONS of Carbondale, Pa. has donated a beautiful complete $\frac{1}{4}$ inch scale Dining Dep't wagon to be auctioned off to the highest bidder, all money received from this sale to go towards the publishing of The BANDWAGON. All bids must be in by Apr. 20. Send all bids to VAN MATRE 3328 H St. Phila. Pa.

Dear Members:-

You probably know about the circus museum that the state of Florida intends to have in Sarasota. I think we should most certainly support it. Sooner or later we are going to be called upon to donate and I am ready providing that I am assured that it is not a political tool and is going to be run in a business like fashion for the interests of the circus and not the state of Fla. After all the state of Fla. has gotten a lot from the Ringlings and can afford this. It is not only good publicity but a real step toward making the circus a thing of permanence. What are your ideas on this?

Burt Wilson

The band has played its last tune for CAP CARROL and CHAS. CURTIS, both members of CHS. These men will be missed more than words can say for they were both well liked and very active members. Cap is probably the better known of the two as he was a veteran calliope player and was with RBBB for years.

Bet Leonard gave a Valentine party in honor of the going away show folks of Wichita. Present were Mr. & Mrs. Feigley (Boss bill poster on RBBB #1 Car) Harrison Family (Montgomery Circus) Bill Thompson (Advance man for Monroe Bros) Mr. & Mrs. Stevens (Al G Kelly & Miller Circus) Chas. Brunk (Advance man of King Bros)

Jim Armstrong will be back with RBBB this year in clown alley as usual. At present he is playing indoors at Shreveport, La.

Ed Jackson will be back with Car #1 of RBBB this season

Dad White lost his bill fold in Los Angeles, got it back-EMPTY

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CIRCUS NICKNAMES(WALTER L.MAIN)

Rube Frisbie was a long string driver with Walter L.Main

In 1895 engaged a high salaried general agent by name of W.E.FRANKLIN For 2 or 3 seasons he had been traffic manager for Barnum & Bailey His home was in Wakseta,Ill.It seemed he was a very meddlesome fellow so his friend Merritt Young called him Wakseta Bill and the name stuck

Employees of Ben Wallace called him Col.Jouhnson,and he liked it

In 1893 and 1894 Walter L.Main had an agent assistant manager who had been with many circuses that had failed.His name was E.D.Colvin some called him Doc and others Jonah which he did not like.

Barnum's partner(Bailey)was discovered when he was a bellhop in a Detroit hotel by F.Bailey agent for Robinson's Circus.His real name was James McGinnis.Fred changed it to James A.Bailey.

Once Baileys press agent roasted Ringlings for showing on Sunday,Alf Ringling came back at the press agent and christened him Pious James #313 George L.Chindehl Maitland,Fla.is our newest member Fay Reed says the first circus he saw was the Adam Forepaugh Circus in 1897 and that the Reed sisters were bare back riders on it and Doc Carver the Champion Rifle Shot was a feature.

BETTE LEONARD CIRCUS SEASON(1946)

Hamid-Morton,March 2,Wichita,Kan.
Clyde Bros.March 23,Hutchinson,Kan.
May 5,St.Johns,Kan.Bell Bros.
May 8,Wellington,Kan.Buck Owens Circus
May 30,Caldwell,Kan.Al G Kelly & Miller Circus
May 31,Wichita,Kan.Cole Bros.
June 1,Cheny,Kan.Al G Kelly & Miller
Aug.3,Wichita,Kan.101 Ranch
Sept.13,Wichita,Kan.RBBB
Sept.24,Valley Center,Monroe Bros.
Dec.1,Wichita,Kan.Davenport Shrine Circus

Walter L.Main Circus on 15 cars owned and managed by Andrew Downie opened its 1922 season at the winter quarters city of Havre De Grace, Md.on Apr.22,1922.7 cages of wild animals and 7 bulls were carried.F.J. Frink was general agent,M.J.Lyons was advance car manager,W.B.Fowler was musical director,Bill Tumber was side show manager and Chas.Sweeney was equestrian director.Powers Military Elephants the feature act. Correll Bros.Circus was a little show and not very well known,I doubt if there are any photos of it in the country.The promoter of it was put in jail in Akron,Ohio for a bum check.Adelaide Nelson had the bull on the show and a Mr.Evans of Massillon,Ohio had the menage and other live stock.An advertising program,containing the acts,was issued for each city.Would be glad to hear from anyone who has anything on this show,particularly photos.(VAN MATRE)

The longest continuos circus tour ever made was that,made by the W.W. Chilly Billy Cole Show in 1880-1881,covering Austrelia,New Zealand,the South Sea Islands,and two trips across the U.S.Making 305 stands in 431 days and traveling 44,172 miles with 56 days at sea.(Norton)

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ELECTION RETURNS by BILL GREEN

| For Vice President | | For Editor of The BANDWAGON | |
|--------------------|----------|-----------------------------|----------|
| M. Allaire----- | 18 Votes | P. Hemphill----- | 17 Votes |
| W. Kasiska----- | 16 Votes | R. Green----- | 14 Votes |
| L. Quist----- | 4 Votes | VAN MATRE----- | 5 Votes |

Three votes were cast for names not on the ballot, as follows:

| | | | |
|----------------|--------|---------------|---------|
| C. Amidon----- | 1 Vote | B. Green----- | 2 Votes |
|----------------|--------|---------------|---------|

At the time that this paper is being put out no report has as yet been received as to the outcome of the election whether the cover on our magazine shall be continued or cut out and a photot supplied in its place.

As this is the last issue that I will be putting out for all you fine members I want to thank each and everyone for their fine cooperation and consideration shown me, at the same time I would like to extend the best of luck and success to our new V. President and Editor.

VAN MATRE-Editor

SPARKS CIRCUS PHOTOS FOR SALE-7 rare, never before offered photos of brand new wagons-Spic and Span standing in front of Moeller Bros. Wagon Shop in Baraboo 1921. Closeups of cages, tab wagons, pole wagons, good detail. 1 interior shot of calliope under construction. All 7 photos (4x5) \$2.00 cash or M.O. *---C.P. FOX Route 4 Oconomowoc, Wis.

The Nellie Dutton Riding Act will arrive back in the U.S. after a successful tour of the Hawaiian Islands and will be with the James M. Cole Circus for the 1947 season.

L. Quist will be with the Beams Sunbeam Show with candy apples and a 1¢ pitch.

Mills Bros. Circus had a nice write up in the Cleveland Plain Dealer on Sunday Feb. 23, 1947 regarding the work being done in winter quarters at Bucyrus, Ohio.

The CFA Convention will be held at Dayton, Ohio May 10, 11, 12 on the Cole Bros. Circus. Cole Bros. will come into Dayton on the 11th and play there the 12th and 13th.

B. E. Wallace died Apr. 8, 1921 at Rochester, Minn. at the age of 73

Al F. Wheeler Bros. Shows opened its season at Fountain Inn, S.C. Apr. 2, 21

John Robinson Circus opened at Peru, Ind. Apr. 30, 1921.

Hagenbeck-Wallace Circus opened at Cincinnati, Ohio May 2, 1921

LOOK WHAT \$1 will buy:-

- 4 issues of the new circus magazine BANNER LINE
- 4 photos (3x5) John Robinson, Yankee Robinson, Gollmar
- 1 newspaper circus ad
- 1 wagon print for model builders

ALL FOR \$1 Send Cash or M.O. to VAN MATRE 3328 H St. Phila. Pa.

THE FIRST OF THESE IS THE FACT THAT THE
COUNTRY IS A RICH ONE IN NATURAL RESOURCES

AND THAT THE PEOPLE ARE A CAPABLE AND
ENTERPRISING ONE

THE SECOND IS THE FACT THAT THE
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